

## §§

## JURY TRAIL DEMANDED

1           3.     Plaintiff is a Texas limited liability company with an address of 1 East  
2 Broward Boulevard, Suite 700, Fort Lauderdale, FL 33301.

3           4.     On information and belief, Defendant is a California corporation with its  
4 principal office located at 41841 Albrae St., Fremont, CA 94538. On information and  
5 belief, Defendant may be served through its registered agent, Yuqian Xiong, at the  
6 same address.

7           5.     On information and belief, this Court has personal jurisdiction over  
8 Defendant because Defendant has committed, and continues to commit, acts of  
9 infringement in this District, has conducted business in this District, and/or has  
10 engaged in continuous and systematic activities in this District.

11          6.     On information and belief, Defendant's instrumentalities that are alleged  
12 herein to infringe were and continue to be used, imported, offered for sale, and/or sold  
13 in this District.

14                               **VENUE**

15          7.     On information and belief, venue is proper in this District under 28  
16 U.S.C. § 1400(b) because Defendant is a resident of this District. Alternatively, acts  
17 of infringement are occurring in this District and Defendant has a regular and  
18 established place of business in this District.

19                               **COUNT I**

20                   **(INFRINGEMENT OF UNITED STATES PATENT NO. 9,054,860)**

21          8.     Plaintiff incorporates paragraphs 1 through 7 herein by reference.

22          9.     This cause of action arises under the patent laws of the United States  
23 and, in particular, under 35 U.S.C. §§ 271, *et seq.*

24          10.    Plaintiff is the owner by assignment of the '860 Patent with sole rights  
25 to enforce the '860 Patent and sue infringers.

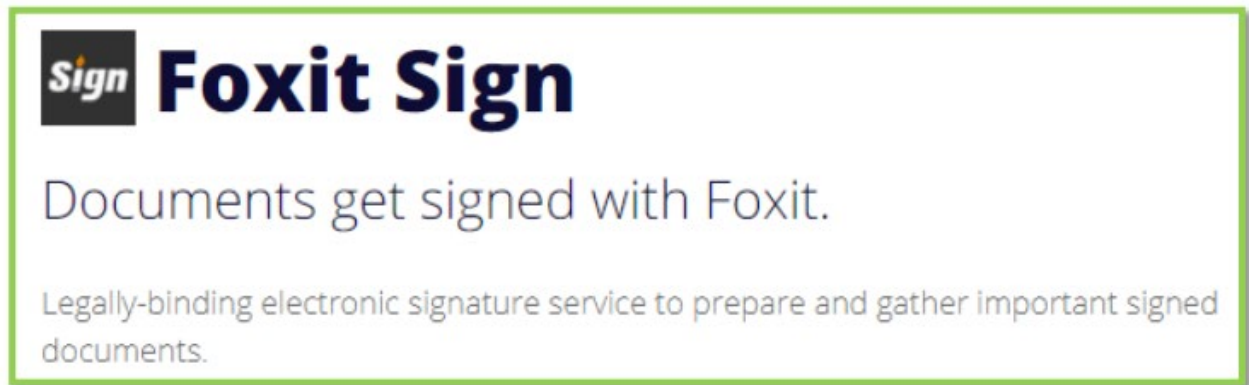
26          11.    A copy of the '860 Patent, titled "Digital Verified Identification System  
27 and Method," is attached hereto as Exhibit A.

28          12.    The '860 Patent is valid, enforceable, and was duly issued in full

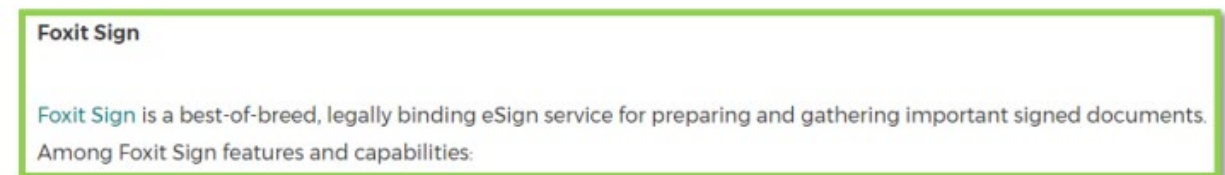
1 compliance with Title 35 of the United States Code.

2 13. Upon information and belief, Defendant has infringed and continues to  
 3 infringe one or more claims, including at least Claim 1, of the ‘860 Patent by making,  
 4 using (at least by having its employees, or someone under Defendant's control, test  
 5 the accused Product), importing, selling, and/or offering for sale associated hardware  
 6 and/or software for digital signature services (e.g., Foxit Sign service), and any  
 7 similar products and/or services (“Product”) covered by at least Claim 1 of the ‘860  
 8 Patent. Defendant has infringed and continues to infringe the ‘860 patent either  
 9 directly or through acts of contributory infringement or inducement in violation of 35  
 10 U.S.C. § 271.

11 14. The Product provides a system for e-signatures. The Product provides  
 12 for digitally verifying the identification of a sender. Certain aspects of this element  
 13 are illustrated in the screenshot(s) below and/or in those provided in connection with  
 14 other allegations herein.



22 Source: <https://www.foxit.com/esign-pdf/>



26 Source: [https://www.prnewswire.com/news-releases/foxit-introduces-foxit-sign-a-new-simple-to-use-](https://www.prnewswire.com/news-releases/foxit-introduces-foxit-sign-a-new-simple-to-use-legally-binding-esignature-service-as-part-of-its-comprehensive-pdf-solution-suite-301298108.html)  
 27 [legally-binding-esignature-service-as-part-of-its-comprehensive-pdf-solution-suite-301298108.html](https://www.prnewswire.com/news-releases/foxit-introduces-foxit-sign-a-new-simple-to-use-legally-binding-esignature-service-as-part-of-its-comprehensive-pdf-solution-suite-301298108.html)

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# Apply eSignatures right in Foxit PDF software with DocuSign integration

Source: <https://www.foxit.com/blog/apply-esignatures-right-in-foxit-pdf-software-with-docusign-integration/>

## DIGITAL SIGNATURE

A digital signature is a subset of the e-signature category and has the most layers of security for compliance. This type of e-signature uses encrypted digital certificates to verify the identity of the signer and that the document hasn't been tampered with.

Source: [https://cdn01.foxitsoftware.com/pub/foxit/whitepaper/general/en\\_us/A%20Guide%20to%20Electronic%20Signatures.pdf](https://cdn01.foxitsoftware.com/pub/foxit/whitepaper/general/en_us/A%20Guide%20to%20Electronic%20Signatures.pdf)

15. The Product includes at least one digital identification module structured to be associated with at least one entity. For example, the Product provides a module (e.g., e-signature creation module) to be associated with at least one entity (i.e., a user who needs to use a digital signature). Certain aspects of this element are illustrated in the screenshot(s) below and/or in those provided in connection with other allegations herein.

Click **Next** button to type your identity information such as name, organization unit, e-mail address, etc. to be used when generating the self-signed certificate. In **Use Digital ID for**, choose one option as needed.

Add Digital ID

Enter your identity information to be used when generating the self-signed certificate:

Name (e.g. John Smith):

Organizational Unit:

Organization Name:

Email Address:

Country/Region:

Key Algorithm:

Use Digital ID for:

Source: <https://kb.foxitsoftware.com/hc/en-us/articles/360040240032-How-to-get-Digital-ID->

**Turn your digital signature into a Digital ID**

You can increase security by turning your signature into a Digital ID if you register it with a certificate authority (CA). A CA is a trusted entity that issues electronic documents, called digital certificates, to verify a digital entity's identity on the internet. A digital certificate contains a public key used to encrypt and decrypt your digital signature.

You distribute the certificate that contains the public key and other identifying information to those people who need to use it to verify your identity, validate your signature, or encrypt a document for you. Only your private key can unlock information that was encrypted using your certificate, so make sure to store your digital ID in a safe place.

You can not only obtain a digital ID from a CA but also create a self-signed digital ID with Foxit PhantomPDF. Digital IDs are usually password-protected and you can store them on a computer in PKCS#12 file format or in the Windows Certificate Store.

Source: <https://www.foxit.com/blog/signature-tools-in-your-pdf-software/>

Digital ID is the identity of a person/organization, which contains your name, Email address, a serial number, an expiration date, and the name of the company.

Source: <https://kb.foxitsoftware.com/hc/en-us/articles/360058171972-Create-a-Digital-ID-Self-Signed-Windows->

### **DIGITAL SIGNATURE**

A digital signature is a subset of the e-signature category and has the most layers of security for compliance. This type of e-signature uses encrypted digital certificates to verify the identity of the signer and that the document hasn't been tampered with.

Source: [https://cdn01.foxitsoftware.com/pub/foxit/whitepaper/general/en\\_us/A%20Guide%20to%20Electronic%20Signatures.pdf](https://cdn01.foxitsoftware.com/pub/foxit/whitepaper/general/en_us/A%20Guide%20to%20Electronic%20Signatures.pdf)

Digital signatures generally use a protocol called public key infrastructure (PKI), which uses mathematical algorithms to generate a pair of numerical keys, one private key (for the signer) and one public key. When a signer signs a document, a signature is created using the private key. Next, the mathematical algorithm creates and encrypts data to match the signed document. This encrypted data is the digital signature, which is accompanied by a timestamp of the signing. When the signer sends the signed document over, the other party receives the document along with the public key. The public key must be able to decrypt the digital signature. If it can't, it is considered invalid, because this indicates that either the signature on the document does not belong to the rightful signer, or the signature or document has been tampered with after it was signed.

Digital signatures offer high degree of security, so many countries with more stringent signing laws give digital signatures the same status as handwritten signatures. Simple e-signatures may also be legal in less regulated industries or markets.



Source: [https://cdn01.foxitsoftware.com/pub/foxit/whitepaper/general/en\\_us/A%20Guide%20to%20Electronic%20Signatures.pdf](https://cdn01.foxitsoftware.com/pub/foxit/whitepaper/general/en_us/A%20Guide%20to%20Electronic%20Signatures.pdf)

#### Signing a PDF document using a digital signature

Digital signatures created in PDF software may look like traditional handwritten signatures, but they do much more.

Digital signatures provide identifying information beyond your ink signature or your Quick PDF Sign signature, such as the date, time, and state of the document when you signed it.

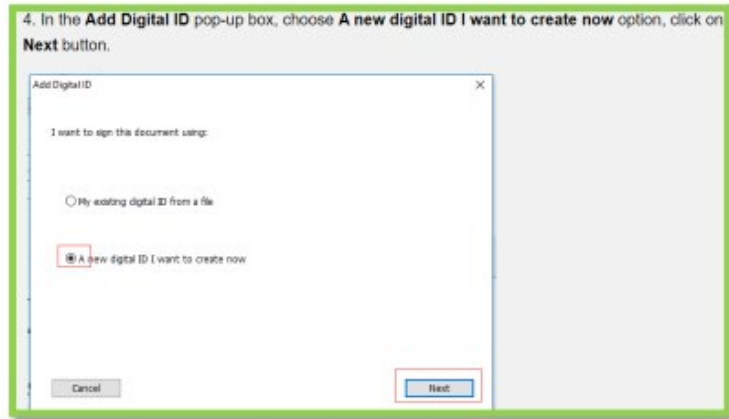
Digital signatures also allow you to design a signature, or multiple signatures, for different types of documents. When designing a digital signature, you have the option of including attributes like:

- An image of your handwritten signature
- Your name
- Your company's logo
- Your photo
- Contact information
- The reason for signing the document
- Your location

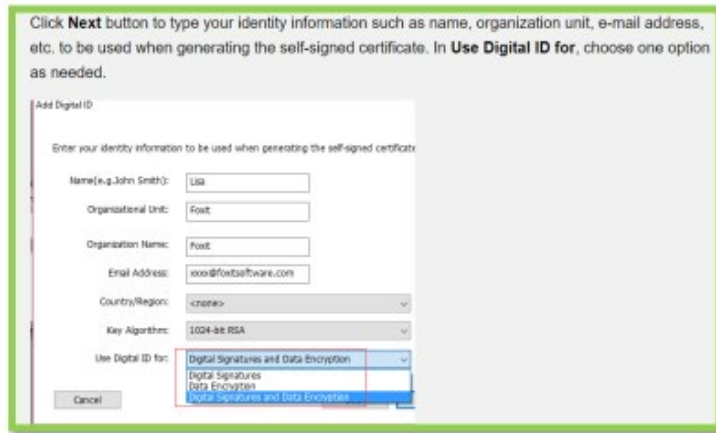
The list goes on, enabling you to give as much detail as you need in order to validate your identity.

Source: <https://www.foxit.com/blog/signature-tools-in-your-pdf-software/>

16. The Product includes a module generating assembly structured to receive at least one verification data element corresponding to the at least one (e.g., a user has a unique login ID and password for accessing and verifying the account for e-signing documents) and create said at least one digital identification module (e.g., creating an e-signature of a user). Certain aspects of this element are illustrated in the screenshot(s) below and/or in those provided in connection with other allegations herein.

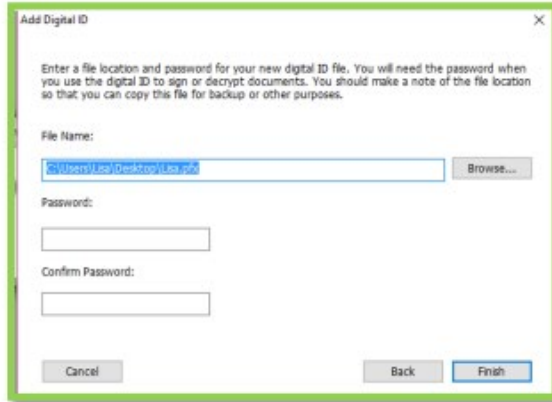


Source: <https://kb.foxitsoftware.com/hc/en-us/articles/360040240032-How-to-get-Digital-ID->

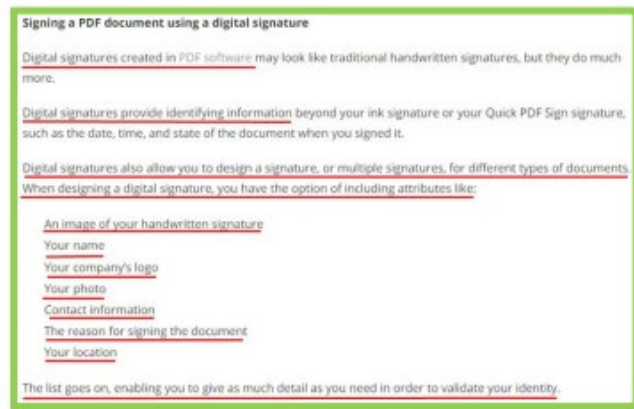


Source: <https://kb.foxitsoftware.com/hc/en-us/articles/360040240032-How-to-get-Digital-ID->





Source: <https://kb.foxitsoftware.com/hc/en-us/articles/360040240032-How-to-get-Digital-ID->



Source: <https://www.foxit.com/blog/signature-tools-in-your-pdf-software/>

Digital ID is the identity of a person/organization, which contains your name, Email address, a serial number, an expiration date, and the name of the company.

Source: <https://kb.foxitsoftware.com/hc/en-us/articles/360058171972-Create-a-Digital-ID-Self-Signed-Windows->

Document Access Preference: User will be able to open the document directly by clicking on the option if "No login required by a signer" is selected else it will ask for the username and password before signing the document. The first-time signer will be automatically routed to create a login if the preference is selected as 'Login required by signer'

Source: <https://kb.foxitsoftware.com/hc/en-us/articles/360061142292-Quick-Overview-of-Foxit-Sign-Application>

Source: <https://www.foxit.com/downloads/#Foxit-Sign/>

**Create an Account**  
It's free and only takes a minute.

✓ **Manage** subscriptions  
✓ **Download** invoices  
✓ **Check out** faster  
✓ **Download** easier

Email Address\*  
First name\*  
Last name\*  
Company name\*  
Phone (Numbers Only)\*  
Password\*  
Confirm password\*

**Create my account** →

Already have an account? **Log in**

Source: <https://account.foxit.com/site/sign-up?casState=d90ecae6c06d4b72b184582480743717&an=foxitsign&service=https%3A%2F%2Ffoxitsign.foxit.com%2Flogin%3Fsource%3Dfoxit&hf=1&noslogan=1&darkmode=>

17. The at least one digital identification module is disposable within at least one electronic file. For example, the user can store the e-signature within a document or including PDF, WORD DOC, IMAGES, etc. Certain aspects of this element are illustrated in the screenshot(s) below and/or in those provided in connection with other allegations herein.

## **FOXIT SIGN**

Foxit Sign is Foxit's groundbreaking signing solution to help organizations greatly accelerate their agreement workflows, offering the easiest, fastest, and most secure way to sign, send, track and store documents. No matter where your clients are located, requesting for signatures is as quick as sending an email. Contracts facilitated through Foxit Sign are legally compliant and fully trackable, paving the way for your department to effortlessly sign or route important deals with peace of mind. After your contracts have been prepared – whether from scratch or via template – simply upload them to Foxit Sign to sign or send to recipients. With the combined power of Foxit Sign and Foxit PDF Editor, edit your contracts and collect signatures with complete ease – and reach time to agreement in record speeds while you're at it.

Source: [https://cdn01.foxitsoftware.com/pub/foxit/whitepaper/general/en\\_us/A%20Guide%20to%20Electronic%20Signatures.pdf](https://cdn01.foxitsoftware.com/pub/foxit/whitepaper/general/en_us/A%20Guide%20to%20Electronic%20Signatures.pdf)

## **Full eSign Workflow**

Just upload your document, create your template, add recipients, and send. Foxit Sign automates workflow, sends notifications, collects signatures from all recipients, and allows you to track your sign process's progress. After completion, you have a tamper-proof archived of a legally signed document.

Source: <https://www.foxit.com/esign-pdf/#>

Whether from web or mobile, generating agreements and sending them out for eSignature is quick and easy. Foxit Sign decreases the amount of "clicks" by 30-50% when sending a document for signature. Utilize reusable templates to reduce the time spent creating a contract each time and sending it over and over again.

Source: <https://www.foxit.com/esign-pdf/#>

#### How to get a Document Signed on Foxit Sign

For documents that are custom and uniquely created each time before sending it to the recipients/senders, you should create a document and send it directly.

- Upload a document from your computer from the home page.
- Drag and drop your desired fields wherever you need them from the toolbox.
- Add the name of the recipient who needs to sign the document.
- Assign the property to the fields in the document, like the recipient responsible for filling in the value.
- You can also apply "Enforce Sequence Workflow" to get the signatures in a sequence from the recipients.
- Before sending the document you can modify the email subject and message which will go to the recipient.
- The recipient will get an invitation email which-he/she will need to click on the view document(s) link in the email to read the document and sign it.
- You can check the history of the document to check the document status.
- Recipients can download the PDF of the signed document.



1 Source: <https://kb.foxitsoftware.com/hc/en-us/articles/360061142292-Quick-Overview-of-Foxit-Sign-Application>



11 Source: <https://www.foxit.com/esign-pdf/>



16 Source: <https://www.foxit.com/esign-pdf/>

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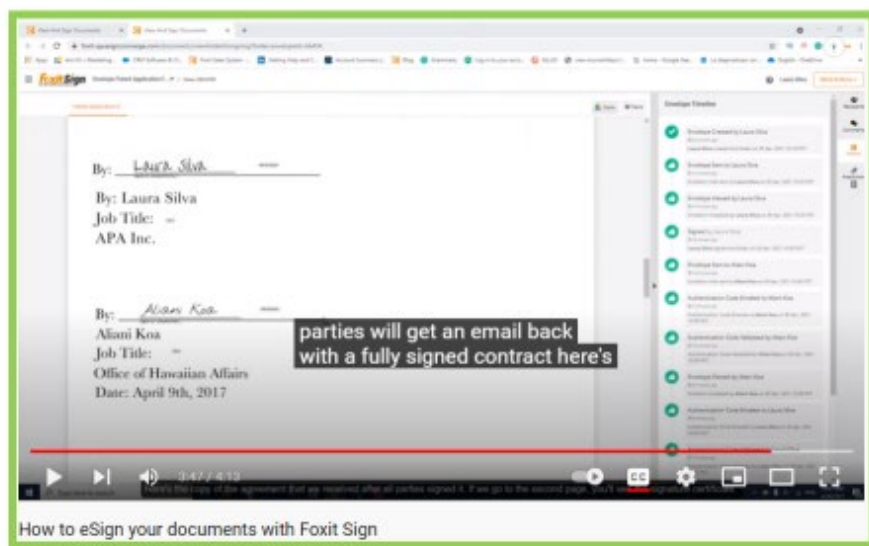
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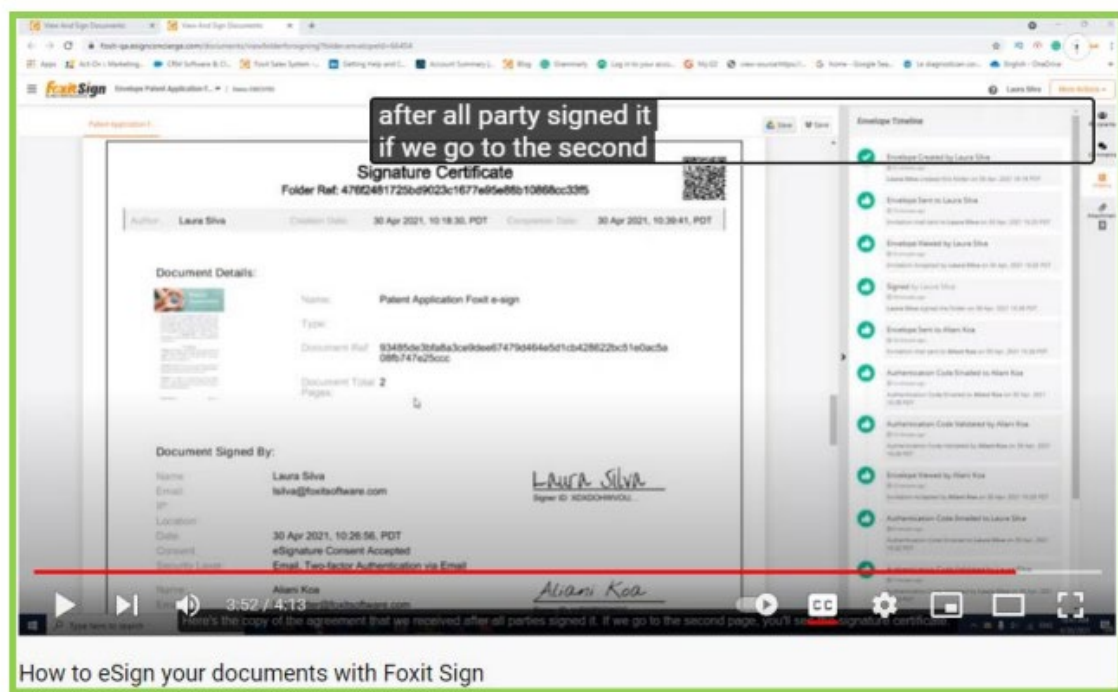




Source: <https://www.youtube.com/watch?v=ude2GjU0q4E&t=1s>



Source: <https://www.youtube.com/watch?v=ude2GjU0g4E&t=1s>



Source: <https://www.youtube.com/watch?v=ude2GjU0g4E&t=1s>

18. The at least one digital identification module includes at least one primary component structured (e.g., an e-signature of a user is associated with information including username, etc.) to at least partially associate the digital identification module with the at least one entity (e.g., an e-signature is associated with a user, who has to sign digitally). Certain aspects of this element are illustrated in the screenshot(s) below and/or in those provided in connection with other allegations herein.

#### How to get a Document Signed on Foxit Sign

For documents that are custom and uniquely created each time before sending it to the recipients/senders, you should create a document and send it directly.

- Upload a document from your computer from the home page.
- Drag and drop your desired fields wherever you need them from the toolbox.
- Add the name of the recipient who needs to sign the document.
- Assign the property to the fields in the document, like the recipient responsible for filling in the value.
- You can also apply "Enforce Sequence Workflow" to get the signatures in a sequence from the recipients.
- Before sending the document you can modify the email subject and message which will go to the recipient.
- The recipient will get an invitation email which-he/she will need to click on the view document(s) link in the email to read the document and sign it.
- You can check the history of the document to check the document status.
- Recipients can download the PDF of the signed document.

Source: <https://kb.foxitsoftware.com/hc/en-us/articles/360061142292-Quick-Overview-of-Foxit-Sign-Application>

#### Signing a PDF document using a digital signature

Digital signatures created in PDF software may look like traditional handwritten signatures, but they do much more.

Digital signatures provide identifying information beyond your ink signature or your Quick PDF Sign signature, such as the date, time, and state of the document when you signed it.

Digital signatures also allow you to design a signature, or multiple signatures, for different types of documents. When designing a digital signature, you have the option of including attributes like:

An image of your handwritten signature

Your name

Your company's logo

Your photo

Contact information

The reason for signing the document

Your location

The list goes on, enabling you to give as much detail as you need in order to validate your identity.

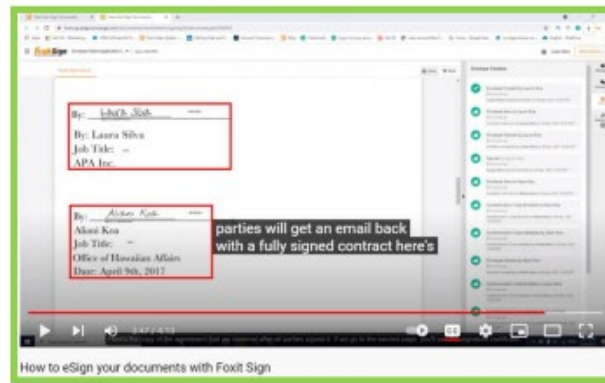
Source: <https://www.foxit.com/blog/signature-tools-in-your-pdf-software/>

#### • Sign PDFs with Digital Signature

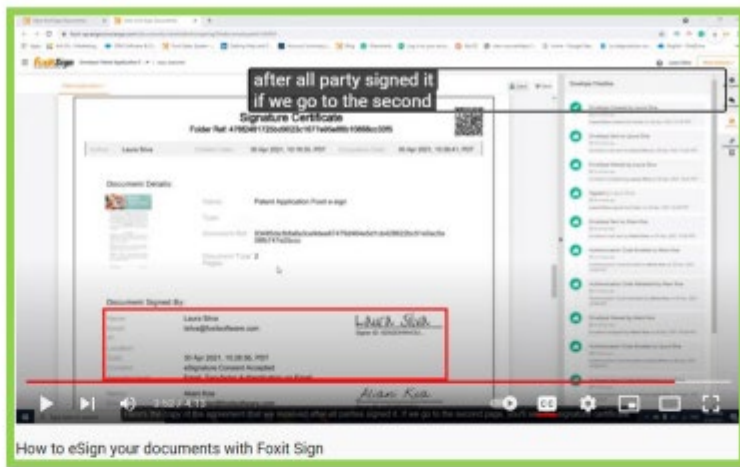
Before you sign a document, you need to draw a signature field where the signature is placed, get a digital ID, and create the signature.

1. Choose Protect > Sign & Certify > Place Signature.
2. Press and hold the mouse button down, and drag to draw a signature field for your signature.
3. In Sign Document dialog box, choose a digital ID from drop-down menu. If you can't find the specified digital ID, you will need to get a certificate from the third party provider or create a self-signed digital ID. For how to create a self-signed digital ID, please refer to [HERE](#) for specific steps.

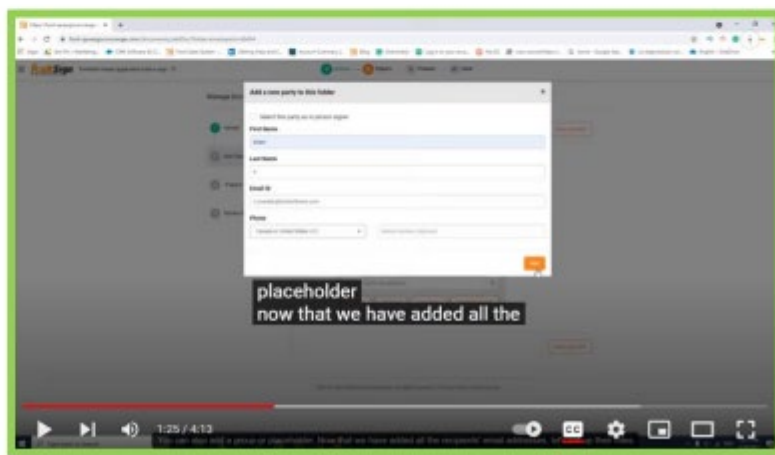
Source: <https://kb.foxitsoftware.com/hc/en-us/articles/360058484191-How-to-sign-PDFs-with-Foxit-PDF-Reader->



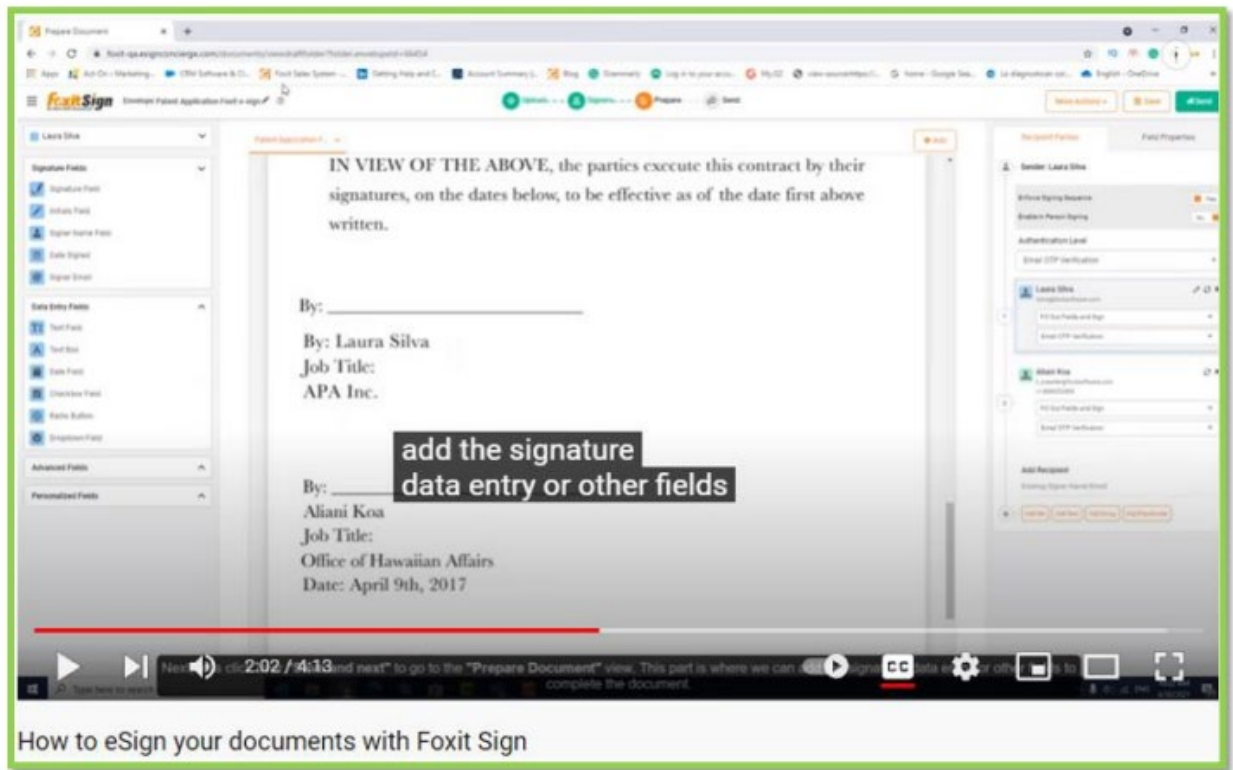
Source: <https://www.youtube.com/watch?v=uDe2GjU0g4E&t=1s>



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Source: <https://www.youtube.com/watch?v=udef2GjU0q4E&t=1s>

19. The at least one digital identification module is cooperatively structured to be embedded within only a single electronic file (e.g., an e-signature is stored within a document- including PDF, WORD DOC, IMAGES, etc.). Certain aspects of this element are illustrated in the screenshot(s) below and/or in those provided in connection with other allegations herein.



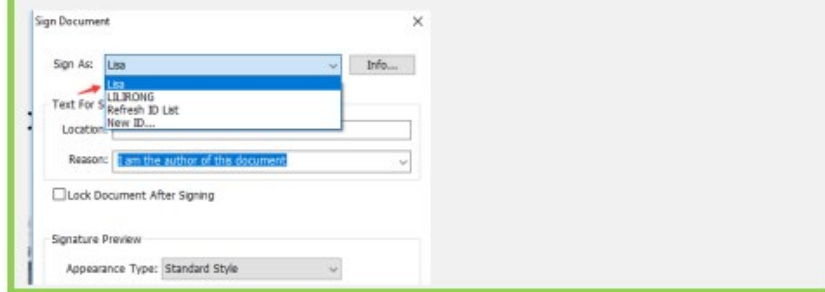
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Source: <https://kb.foxitsoftware.com/hc/en-us/articles/360058484191-How-to-sign-PDFs-with-Foxit-PDF-Reader->

5. Finally, you will see the newly created Digital ID appears in the **Sign As** drop-down menu in **Sign Document** dialog box.



Source: <https://kb.foxitsoftware.com/hc/en-us/articles/360058484191-How-to-sign-PDFs-with-Foxit-PDF-Reader->

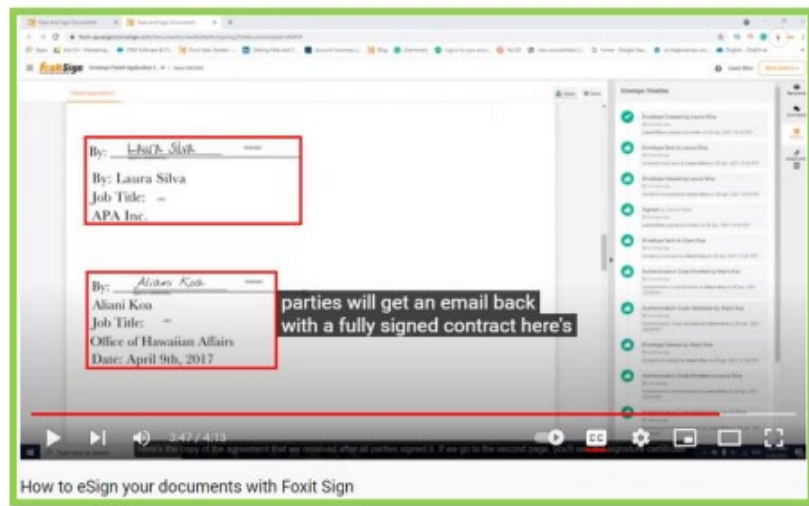
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Source: <https://www.youtube.com/watch?v=ude2GjU0q4E&t=1s>

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Source: <https://www.youtube.com/watch?v=ude2GjU0g4E&t=1s>

20. Defendant's actions complained of herein will continue unless Defendant is enjoined by this court.

21. Defendant's actions complained of herein are causing irreparable harm and monetary damage to Plaintiff and will continue to do so unless and until Defendant is enjoined and restrained by this Court.

22. Plaintiff is in compliance with 35 U.S.C. § 287.

### **JURY DEMAND**

23. Under Rule 38(b) of the Federal Rules of Civil Procedure, Plaintiff respectfully requests a trial by jury on all issues so triable.

**PRAYER FOR RELIEF**

WHEREFORE, Plaintiff asks the Court to:

(a) Enter judgment for Plaintiff on this Complaint on all causes of action asserted herein;

(b) Enter an Order enjoining Defendant, its agents, officers, servants, employees, attorneys, and all persons in active concert or participation with Defendant who receive notice of the order from further infringement of United States Patent No. 9,054,860 (or, in the alternative, awarding Plaintiff a running royalty from the time of judgment going forward);

(c) Award Plaintiff damages resulting from Defendant's infringement in accordance with 35 U.S.C. § 284;

(d) Award Plaintiff pre-judgment and post-judgment interest and costs; and

(e) Award Plaintiff such further relief to which the Court finds Plaintiff entitled under law or equity.

Dated: November 2, 2021

Respectfully submitted,

/s/ Stephen M. Lobbin

***Attorney(s) for Plaintiff***